

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**CHARLES SEWARD, Individually,** )  
**and on Behalf of All Others** )  
**Similarly Situated,** )  
  
**Plaintiff,** )  
  
**v.** ) **Case No. 08 CV 3976**  
  
**INTERNATIONAL BUSINESS** ) **KMK/MDF**  
**MACHINES, CORP., d/b/a IBM** )  
**CORP.,** ) **ECF CASE**  
  
**Defendant.** )

**PLAINTIFF'S NOTICE OF FILING CONSENT(S) TO JOIN  
PURSUANT TO [29 U.S.C. §§207, 211(c), 216(b)]**

NOW COMES the Plaintiff, Charles Seward, individually and on behalf of all others similarly situated, (hereafter referred to as “Plaintiff”) by and through their attorney, Erik H. Langeland, and hereby submit the following Consent(s) to Join pursuant to 29 U.S.C. §216(b), copies of which are attached and identified as follows:

- ## 1. Michael Johnson

Erik H. Langeland, P.C.  
Attorneys for Plaintiffs

DATED: July 16, 2008

/s/ Erik H. Langeland  
Erik H. Langeland (EL-7512)  
500 Fifth Avenue, Suite 1610  
New York, NY 10110  
(212) 354-6270  
elangeland@langelandlaw.com

**OPT-IN CONSENT FORM**

***Seward et al vs. International Business Machines***  
**08 CV 3976**

**Complete and Mail To:**  
**Erik H. Langeland, P.C.**

Attn: International Business Machines Class Action  
500 Fifth Avenue  
Suite 1610  
New York, NY 10110  
(212) 354-6270  
(212) 898-9086 (Fax)

**CONSENT TO JOIN COLLECTIVE ACTION**  
**Pursuant to Fair Labor Standards Act**  
**29 U.S.C. §216(b)**

1. I Michael Johnson consent and agree to pursue my claims arising out of unpaid overtime work as a call center employee at International Business Machines (d/b/a IBM) in connection with the above referenced lawsuit.
2. I have worked in the position of call center employee at IBM from on or about 7 years (month, year) to on or about 6, 2008 (month, year).
3. During the above time period, I worked in excess of forty (40) hours per week, but was not paid overtime compensation.
4. I understand that this lawsuit is brought under the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. §201 et. seq. I hereby consent, agree and opt-in to become a Plaintiff herein and be bound to any judgment by the Court or any settlement of this action.
5. I hereby designate the law firm of ERIK H. LANGE LAND, P.C. ("Plaintiffs' Counsel"), to represent me for all purposes of this action.
6. I also designate the Class Representatives as my agents to make decisions on my behalf concerning the litigation, the method and manner of conducting this litigation, the entering of an agreement with Plaintiffs' Counsel concerning attorneys' fees and costs, and all other matters pertaining to this lawsuit.

7/16/2008  
(Date Signed)

Michael S. Johnson  
(Signature)

7/16/2008

Michael S. Johnson  
(Print Name)

**\*\*NOTE\*\* Statute of Limitations concerns mandate that you return this form as soon as possible to preserve your rights. (See "Notice of Proposed Class Action Lawsuit" for time deadlines).**